

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF NEBRASKA

GARY GIBSON, JR. and SHAWNA
GIBSON, husband and wife,

Plaintiffs,

v.

BRIESON JENSEN and FARMERS
CO-OPERATIVE,

Defendants.

CASE NO.: 8:16-cv-296

DECLARATION OF SHAWNA GIBSON

I, Shawna Gibson, declare as follows:

1. I am above the age of 21 and am competent to testify. I have personal knowledge of all facts set forth herein.

2. I am a Plaintiff in this suit and am the spouse of Plaintiff Gary Gibson, Jr.

3. Gary Gibson, Jr. and I live in Pueblo, Colorado with three of our children, ages 14, 16, and 18. The 14 and 16 year old children both suffered from fetal alcohol syndrome and currently require a high level of special attention to care for their needs.

4. I currently care for my husband Gary and his medical and mental conditions, which have been detailed by multiple providers, including Drs. Haley and Machanic.

5. Gary, two of our children, and myself traveled to Omaha, Nebraska for depositions in this case on December 29, 2016.

6. Gary Gibson was also examined by Dr. Thomas Haley on December 28, 2016.



7. The trip from our home in Pueblo, Colorado to Omaha, Nebraska consists of approximately 10 hours of driving each way.

8. Gary's dizziness and other physical and mental conditions do not allow him to travel on his own.

9. Upon arriving home from the December 2016 trip to Omaha, Nebraska for the depositions, Gary Gibson was severely sick for multiple days and exhibited nausea, significant vomiting, and depression.

10. Gary Gibson and I again returned to Omaha, Nebraska for a May 15, 2017 mediation in this suit.

11. At no time did anyone request that Gary submit to any physical or mental examinations while we were in Omaha, Nebraska at that time.

12. The May 2017 trip was a three day trip and also required the coordination of child care.

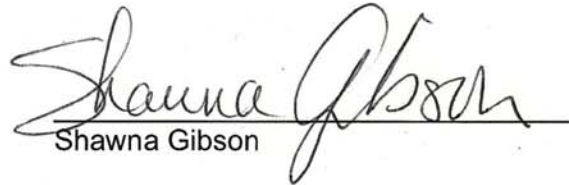
13. Upon our return from the May 2017 trip to Omaha, Gary was again severely sick for multiple days and exhibited nausea, significant vomiting, and depression.

14. I am concerned that requiring us to travel to Omaha, Nebraska for a July 2017 mental examination (in addition to the already-schedule August 2017 trial) will cause Gary to once again experience substantial exhibited nausea, vomiting, depression, and pain as a result of the long travel and examinations. I am very concerned for Gary's health and wellbeing.

15. Had an examination been requested earlier, Gary could have been examined during one of our two prior trips to Omaha, Nebraska for this case.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on June 12, 2017.


Shawna Gibson

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